

EXHIBIT A

Supreme Court of the State of New York

County of New York, 60 Centre Street

New York, NY 10007

SUMMONS

PLAINTIFF/ PLAINTIFF/ PETITIONER: ANURAG SHANKAR

DEFENDANT/ DEFENDANTS: ACCENTURE, LLP

1. PLEASE TAKE NOTICE THAT YOU ARE SUMMONED to answer the complaint of the plaintiff herein and to serve a copy of your answer on the plaintiff at the address indicated below within 20 days after service of this Summons (not counting the day of service itself), or within 30 days after the service is complete if the Summons is not delivered personally to you within the State of New York.
2. YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

November 13, 2020

Date of summons

Anurag Shankar

PLAINTIFF'S NAME AND ADDRESS:

ANURAG SHANKAR
15A KENSINGTON HALL GARDENS
BEAUMONT AVENUE
WEST KENSINGTON
LONDON W14 9LS
UNITED KINGDOM
PHONE: +44 7809 235678

DEFENDANT'S NAME AND ADDRESS:

Accenture LLP
1345 Avenue of the Americas
New York, NY 10105

Venue: Plaintiff designates New York County as the place of trial. The basis of this designation is:

Defendant's office address in New York County, and
Plaintiff worked for the Defendant in New York County

Supreme Court of the State of New York

County of New York

60 Centre Street

New York, NY 10007

COMPLAINT

PLAINTIFF/ PLAINTIFF/ PETITIONER:

ANURAG SHANKAR

15A KENSINGTON HALL GARDENS

BEAUMONT AVENUE

WEST KENSINGTON

LONDON W14 9LS

UNITED KINGDOM

DEFENDANT/ DEFENDANTS:

ACCENTURE, LLP

1345 Avenue of the Americas

New York, NY 10105

TO THE SUPREME COURT OF THE STATE OF NEW YORK

The complaint of the plaintiff, Anurag Shankar respectfully shows and alleges as follows:

DISCRIMINATION based on DISABILITY, AGE, NATIONAL ORIGIN, and RACE

The Parties

1. The undersigned charging party, Mr. Anurag Shankar ("Mr. Shankar" or "Plaintiff"), is a forty-eight (48) year-old male.
2. Mr. Shankar is a citizen of the United Kingdom and is of Indian ancestry.

3. Accenture, LLP (“Accenture” or “Defendant”) is a “global professional services company providing a range of strategy, consulting, digital, technology, & operations services and solutions” with an office located at 1345 Avenue of the Americas, New York, NY 10105.
4. At all times relevant to this charge of discrimination, Defendant maintained an employment relationship with fifty (50) or more individuals and is an “employer” within the meaning of all applicable federal and local statutes.
5. At all times relevant to this charge of discrimination, Mr. Shankar was an “employee” of Accenture within the meaning of federal and local statutes and entitled to protection.
6. At all times relevant to this charge of discrimination, Mr. Shankar was able to perform the essential duties of his position of employment with or without a reasonable accommodation.
7. At all times relevant to this charge of discrimination, Mr. Shankar maintained the requisite experience, skills, or qualifications for his employment position at Accenture and satisfactorily performed his employment responsibilities.

DISCRIMINATION BASED UPON DISABILITY, AGE, NATIONAL ORIGIN, and RACE, and FAILURE TO REASONABLY ACCOMMODATE A DISABILITY

8. Mr. Shankar is a forty-eight (48) year-old British citizen who was hired by Accenture’s London office on or about January 23, 2014 as a Management Consulting Manager.
9. The Plaintiff is, and was at the material times, disabled. The Plaintiff has the following disabilities (Refer Paragraphs 10 and 11 below):

10. Sleep apnea, for which he received a diagnosed by the Sleep Centre at Charing Cross Hospital in London, UK in February/ March 2015. That impairment continues to the present day.
11. Posterior tibial tendon dysfunction ("PTTD") with significant degenerative changes causing pain in his feet and ankles, for which he has received treatment since 2015. That impairment was diagnosed by the Charing Cross Hospital and also the 'BUPA Cromwell Hospital' in London, UK. That impairment continues to the present day.
12. The Defendant was aware of the Plaintiff's disabilities. The Plaintiff informed his managers and HR team in the USA and the UK regarding his disabilities.
13. The Defendant knew or ought reasonably to have known that the Plaintiff was disabled.
14. In about October 2016, Mr. Shankar was encouraged to apply for a transfer to Accenture's office in New York City.
15. Mr. Shankar applied for the transfer and received an offer of employment in March 2017. Thereafter, Accenture processed Mr. Shankar's L-1A Visa and scheduled Mr. Shankar to arrive in New York City on or about May 15, 2017.
16. Upon information and belief, Defendant Accenture compensated Plaintiff at a lower salary rate than other similarly situated employees who did not require a temporary worker visa in order to be authorized to work in the USA. The Defendant Accenture also reduced complaint's 'Month at Level' at Accenture without informing the Plaintiff about it while transferring him from the UK to the USA.
17. For the sake of clarity, Plaintiff received less money than other employees of Defendant who had the same or similar job duties or titles simply because Plaintiff originated from another country – specifically, the United Kingdom and is of Indian ancestry.

18. In about early May 2017, Mr. Shankar was advised by his treating physician to undergo immediate surgery for a stomach issue.
19. Mr. Shankar immediately informed Accenture's Human Resources in London on May 8, 2017 of his need for surgery.
20. On May 9, 2017, Mr. Shankar sent an e-mail to HR Department of Accenture USA and HR of Accenture UK and requested a delay of his transfer. Mr. Shankar's request was denied by HR of Accenture USA and he was told that if he did not report to Accenture's office in New York City on May 15, 2017, his employment would be terminated.
21. Against his treating physician's recommendation, Mr. Shankar reported to Accenture LLP's office in New York City on May 15, 2017 to continue his employment.
22. In May 2017, shortly after commencing his employment in New York City, Mr. Shankar again informed Human Resources in the USA of his need for surgery.
23. Accenture LLP provided Mr. Shankar with information concerning FMLA leave and short-term disability.
24. Mr. Shankar also informed his need for surgery to Managing Directors Thomas S. Marshall and David C. Jones regarding his need for surgery within a few weeks of moving to Accenture USA.
25. Due to worsening situation, Mr. Shankar again informed Mr. Marshall about his need for surgery during his phone discussion with him around July 31, 2017, a week before the termination of his employment. Mr. Shankar attempted to provide the same information to Mr. Jones, but his meeting with Mr. Jones was postponed several times by Mr. Jones.
26. On August 7, 2017, when Mr. Shankar was finally able to speak to Mr. David Jones on phone, Mr. Jones told Mr. Shankar to look for a job internally in other departments in two

weeks because he has been without a project for a long time. Mr. Shankar asked for some more time to look for a role but Mr. Jones didn't say anything on it but rather advised him to contact Lauren Kelly and Grace Gummels. Mr. Jones sent an e-mail to Mr. Shankar advising him to contact Grace Gummels and Lauren Kelly for the next step. Ms. Lauren Kelly sent a notice of termination of employment to Mr. Shankar through e-mail on August 7, 2017.

27. It is quite interesting to note that while David Jones told Mr. Shankar that a lot of people are sitting without project in the team, they were hiring people in the team after giving a notice of termination of employment to Mr. Shankar. Roles similar to Mr. Shankar's roles were being advertised internally as well.
28. Please note that though Mr. Shankar was given just two week's notice to look for a job internally along with the Notice of Termination of his employment, his white American citizen colleagues were given longer time to look for a job internally.
29. On June 15, 2017, Harshil Shah, a Senior Manager for Accenture LLP, made derogatory comments about Mr. Shankar's age and ridiculed Mr. Shankar for being a manager at forty-six (46) years-old with a lower billing rate, level, and salary than Mr. Shah.
30. In August 2017, Accenture granted/ approved FMLA Leave and Short-term Disability benefits to Mr. Shankar.
31. Mr. Shankar underwent surgery on August 21, 2017 and requested that he have additional time to secure another role within Accenture.
32. Notwithstanding the fact that Mr. Shankar was on approved FMLA leave and underwent surgery on August 21, 2017, Accenture LLP terminated Mr. Shankar's employment around the second or third week of September 2017.

33. After denying any extension a few times, Accenture later agreed to extend the termination date to November 12, 2017 (later extended to November 13, 2017 because November 12, 2017 was Sunday) or the date Mr. Shankar could return to work, whichever was sooner.
34. Mr. Shankar started looking for roles internally within Accenture. Mr. Shankar was interviewed by Tracey Buell, Krishna Desai, and Douglas (Managing Director), who decided to transfer Mr. Shankar into their team after getting the role entered into the internal IT system. Ms. Buell also confirmed to Mr. Shankar that the internal transfer takes place only on the 1st or 16th day of the month. Mr. Shankar informed HR for Accenture about his impending transfer. Mr. Shankar also informed HR for Accenture about interviews for other roles within Accenture in the week starting November 13, 2017.
35. Although Mr. Shankar informed Accenture LLP of the impending offer of employment as well as interviews for other roles, Accenture LLP still elected to terminate Mr. Shankar's employment on or about November 13, 2017 while he was on pre-approved floating holiday.
36. Caucasian American employees were provided with either more time to find another internal position (Matthew Matte), or were not terminated for being unable to secure a project to work on during the same time period as Mr. Shankar (i.e. Matthew Hill and Joan).
37. The Plaintiff has been intermittently ill after termination of his employment by the Defendants and his disabilities continues.
38. It came to the Plaintiff's attention that Defendant did not process his medical and short-term disability benefits claims while he was in the USA and they have declined to support him on this.

39. The Plaintiff has suffered and continues to suffer physical and emotional damages as a result of Defendants' conduct. The Plaintiff emphasises that his current medical conditions are all likely to be considered new disabilities in addition to the existing ones.

Based upon his disability, age, national origin, and race, Mr. Shankar was intentionally discriminated against by Defendant in his employment in violation of Americans with Disabilities Act, as amended, the Age Discrimination in Employment Act, as amended, and Title VII of the Civil Rights Act of 1964, as amended, along with all corresponding state and local laws. Mr. Shankar seeks compensation for damages and costs against the Defendants for which he will be providing further details. The plaintiff would also seek any other relief that the court finds it to be just and proper.

Dated: November 13, 2020



ANURAG SHANKAR
15A KENSINGTON HALL GARDENS
BEAUMONT AVENUE
WEST KENSINGTON
LONDON W14 9LS
UNITED KINGDOM
PHONE: +44 7809 235678

VERIFICATION

STATE OF NEW YORK

COUNTY OF

ANURAG SHANKAR, being duly sworn, deposes and says that: I am the Petitioner/
Plaintiff in this action or proceeding; I have read the foregoing papers and know the contents

thereof; the complaint/ petition is true to my own knowledge, except as to the matters stated to be alleged on information and belief; and as to those matters, I believe it to be true.

Sworn to before me on this 13 day of

November 2020

Anurag Shankar
Plaintiff/ Petitioner
(Signed here in front of Notary)

Notary Public



Thomas A. Ricotta
Notary Public, State of New York
No. 02RI6316982
Qualified in Nassau County
Commission Expires February 9, 2023

ANURAG SHANKAR

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No. : 159870/2020
Received NYSCEF: 11/13/2020

-----X
ANURAG SHANKAR,

Plaintiff,

-against-

AFFIDAVIT OF SERVICE

ACCENTURE, LLP.,

Defendant.
-----X

State of New York,
County of Kings, ss.:

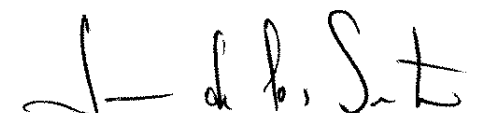
Juan de los Santos, being duly sworn, deposes and says:

I am over 18 years of age and I am not a party to this action. I am a duly licensed New York City process server authorized to serve process with license number 2067123.

On March 10, 2021 at 04:37 p.m., at 401 9th Avenue, New York, New York 10001 (One Manhattan West), I served the attached SUMMONS and COMPLAINT, in this matter, on **ACCENTURE, LLP**, Defendant, by delivering said SUMMONS and COMPLAINT to COLLEEN ALTERI, Workplace Business Operations Senior Manager, an officer employed by said Defendant who indicated that she was expressly authorized to accept process on behalf of said Defendant. Said premises is said Defendant's place of business within the State.

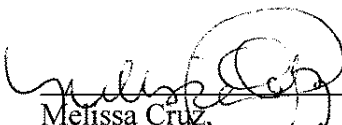
Description of the Person Served on Behalf of the Defendant:

Gender: Female Color of skin: White Color of hair: Brown Approx. age: 35-48 Years
Approx. weight: 110-125 Lbs. Approx. height: 5' 05"- 5' 07" Other ident. features: Green eyes



Juan de los Santos
New York Process Server No. 2067123

Sworn to before me this
11th day of March, 2021



Melissa Cruz,
Notary Public, State of New York

MELISSA CRUZ
NOTARY PUBLIC-STATE OF NEW YORK
No 01CR6115265
Qualified in Kings County
My Commission Expires 09-07-2024

Juan de los Santos
New York Process Server # 2067123
54 Bristol Street, Ste. 7F
Brooklyn, NY 11212

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

_____	x	
	:	
	:	
ANURAG SHANKAR,	:	Index No. 159870/2020
	:	
Plaintiff,	:	AFFIRMATION OF B. AUBREY SMITH,
	:	ESQ IN SUPPORT OF ORDER
v.	:	PURSUANT TO CPLR 2004
	:	<u>(EXTENSION OF TIME TO ANSWER)</u>
ACCENTURE LLP,	:	
	:	
Defendant.	:	
	:	
_____	x	

B. AUBREY SMITH, ESQ., an attorney duly admitted to practice law in the courts of the State of New York, affirms the following to be true under penalties of perjury under CPLR 2106:

1. I am an attorney at the law firm of Winston & Strawn LLP, attorneys for Defendant Accenture LLP (“Defendant”) in the above-captioned action.

2. I submit this Affirmation in support of Defendant’s *ex parte* motion under CPLR 2004 for a twenty (20)-day extension of time to answer or otherwise respond to Plaintiff’s Summons and Complaint, filed on November 13, 2020 (the “Complaint”), from the current deadline of March 30, 2021 to April 19, 2021. The Complaint is attached hereto as **Exhibit A**.

3. On November 13, 2020, Plaintiff commenced this action and, on March 10, served the Complaint on Defendant by personal service.

4. Plaintiff’s process server’s Affidavit of Service that refers to the same service date is attached hereto as **Exhibit B**.

5. Accordingly, Defendant’s current deadline to answer or otherwise respond to the Complaint is March 30, 2021.

6. On March 25, 2021, my colleague, Sara E. Arbogast, Esq., who is also an attorney at Winston & Strawn LLP, requested Plaintiff's consent to a thirty-day extension of Defendant's time to answer or otherwise respond to the Complaint to allow the Defendant additional time to answer or otherwise respond.

7. On March 26, 2021, Plaintiff refused to grant the requested extension, and offered only a ten-day extension instead.

8. On March 28, 2021, Defendant accepted Plaintiff's offer for a ten-day extension and prepared a draft stipulation for Plaintiff's review and approval.

9. On March 29, 2021, Plaintiff retracted his original offer of a ten-day extension and offered instead a ten-day extension on the condition that Defendant, in return, agree to stipulate that service of process was properly made.

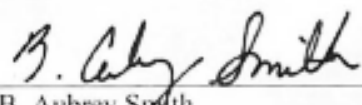
10. Good cause exists for Defendant's requested relief, as no previous extensions of the time to respond to the Complaint were granted by stipulation or order.

11. The instant action is not brought under CPLR 3213.

12. No prior application has been made for the relief sought herein.

Dated: New York, New York
March 30, 2021

Respectfully Submitted,
WINSTON & STRAWN LLP

By: 
B. Aubrey Smith
200 Park Avenue
New York, New York 10166
212-294-6700 (phone)
212-294-4700 (fax)
BASmith@winston.com

Attorneys for Accenture LLP



NYSCEF - New York County Supreme Court Confirmation Notice



The NYSCEF website has received an electronic filing on 11/13/2020 05:58 PM. Please keep this notice as a confirmation of this filing.

159870/2020

ANURAG SHANKAR v. Accenture LLP

Assigned Judge: None Recorded

Documents Received on 11/13/2020 05:58 PM

Doc #	Document Type
1	SUMMONS + COMPLAINT

Filing User

Anurag Shankar | anuragshankar@yahoo.com

15a Kensington Hall Gardens Beaumont Avenue, West Kensington, London, United Kingdom, NY W14-9LS

E-mail Notifications

An email regarding this filing has been sent to the following on 11/13/2020 05:58 PM:

ANURAG SHANKAR - anuragshankar@yahoo.com

Email Notifications NOT Sent

Role	Party	Attorney
Respondent	Accenture LLP	No consent on record.

* Court rules require hard copy service upon non-participating parties and attorneys who have opted-out or declined consent.

Hon. Milton A. Tingling, New York County Clerk and Clerk of the Supreme Court

Phone: 646-386-5956 Website: http://www.nycourts.gov/courts/1jd/supctmanh/county_clerk_operations.shtml

NYSCEF Resource Center, nyscef@nycourts.gov

Phone: (646) 386-3033 | Fax: (212) 401-9146 | Website: www.nycourts.gov/efile

NYSCEF Notification: New York - Torts - Other - <SUMMONS + COMPLAINT> (ANURAG SHANKAR v. Accenture LLP)

From: efile@nycourts.gov (efile@nycourts.gov)

To: anuragshankar@yahoo.com; efile@nycourts.gov

Date: Friday, 13 November 2020, 22:58 GMT

New York County Supreme Court Notification of Filing 11/13/2020

On 11/13/2020, the NYSCEF System received the documents listed below from filing user, ANURAG SHANKAR . Please keep this notice as a confirmation of this filing.

Case Information

Index #: **Not Assigned**

Caption: **ANURAG SHANKAR v. Accenture LLP**

eFiling Status: **Waiting for Index Number**

Assigned Case Judge: **No Judge Assigned**

Documents Received

Doc #	Document	Received Date
1	<u>SUMMONS + COMPLAINT</u>	11/13/2020

E-mail Service Notifications Sent

Name	Email Address
ANURAG SHANKAR	anuragshankar@yahoo.com

E-mail Service Notifications NOT Sent

Court rules require hard copy service upon non-participating parties and attorneys who have opted-out or declined consent

Party	Attorney
Accenture LLP, Defendant/Respondent	No Representation Recorded

Filing User

ANURAG SHANKAR | anuragshankar@yahoo.com | 15A KENSINGTON HALL GARDENS, BEAUMONT AVENUE, WEST KENSINGTON, LONDON, UNITED KINGDOM, NY W14-9LS

NOTICE: This e-mail is intended only for the named recipient and for the purposes of the New York State Courts E-Filing System. If you are neither the intended recipient nor a person designated to receive messages on behalf of the intended recipient, notify the sender immediately.

If you are unsure of the contents or origin of this email, it is advised to NOT click on any links provided. Instead, log into your NYSCEF account to access the documents referred to in this email. Thank you.

Hon. Milton A. Tingling, New York County Clerk and Clerk of the Supreme Court

Phone: 646-386-5956

Website:

http://www.nycourts.gov/courts/1jd/supctmanh/county_clerk_operations.shtml

Supreme Court of the State of New York
County of New York, 60 Centre Street
New York, NY 10007

SUMMONS

PLAINTIFF/ PLAINTIFF/ PETITIONER: ANURAG SHANKAR

DEFENDANT/ DEFENDANTS: ACCENTURE, LLP

1. PLEASE TAKE NOTICE THAT YOU ARE SUMMONED to answer the complaint of the plaintiff herein and to serve a copy of your answer on the plaintiff at the address indicated below within 20 days after service of this Summons (not counting the day of service itself), or within 30 days after the service is complete if the Summons is not delivered personally .to you within the State of New York.
2. YOU ARE HEREBY NOTIFIED THAT should you fail to answer, a judgment will be entered against you by default for the relief demanded in the complaint.

November 13, 2020

Date of summons

Anurag Shankar

PLAINTIFF'S NAME AND ADDRESS:

ANURAG SHANKAR
15A KENSINGTON HALL GARDENS
BEAUMONT AVENUE
WEST KENSINGTON
LONDON W14 9LS
UNITED KINGDOM
PHONE: +44 7809 235678

DEFENDANT'S NAME AND ADDRESS:

Accenture LLP
1345 Avenue of the Americas
New York, NY 10105

Venue: Plaintiff designates New York County as the place of trial. The basis of this designation is:

Defendant's office address in New York County, and
Plaintiff worked for the Defendant in New York County

Supreme Court of the State of New York
County of New York
60 Centre Street
New York, NY 10007

COMPLAINT

PLAINTIFF/ PLAINTIFF/ PETITIONER: ANURAG SHANKAR
15A KENSINGTON HALL GARDENS
BEAUMONT AVENUE
WEST KENSINGTON
LONDON W14 9LS
UNITED KINGDOM

DEFENDANT/ DEFENDANTS: ACCENTURE, LLP
1345 Avenue of the Americas
New York, NY 10105

TO THE SUPREME COURT OF THE STATE OF NEW YORK

The complaint of the plaintiff, Anurag Shankar respectfully shows and alleges as follows:

DISCRIMINATION based on DISABILITY, AGE, NATIONAL ORIGIN, and RACE

The Parties

1. The undersigned charging party, Mr. Anurag Shankar (“Mr. Shankar” or “Plaintiff”), is a forty-eight (48) year-old male.
2. Mr. Shankar is a citizen of the United Kingdom and is of Indian ancestry.

3. Accenture, LLP (“Accenture” or “Defendant”) is a “global professional services company providing a range of strategy, consulting, digital, technology, & operations services and solutions” with an office located at 1345 Avenue of the Americas, New York, NY 10105.
4. At all times relevant to this charge of discrimination, Defendant maintained an employment relationship with fifty (50) or more individuals and is an “employer” within the meaning of all applicable federal and local statutes.
5. At all times relevant to this charge of discrimination, Mr. Shankar was an “employee” of Accenture within the meaning of federal and local statutes and entitled to protection.
6. At all times relevant to this charge of discrimination, Mr. Shankar was able to perform the essential duties of his position of employment with or without a reasonable accommodation.
7. At all times relevant to this charge of discrimination, Mr. Shankar maintained the requisite experience, skills, or qualifications for his employment position at Accenture and satisfactorily performed his employment responsibilities.

DISCRIMINATION BASED UPON DISABILITY, AGE, NATIONAL ORIGIN, and RACE, and FAILURE TO REASONABLY ACCOMMODATE A DISABILITY

8. Mr. Shankar is a forty-eight (48) year-old British citizen who was hired by Accenture’s London office on or about January 23, 2014 as a Management Consulting Manager.
9. The Plaintiff is, and was at the material times, disabled. The Plaintiff has the following disabilities (Refer Paragraphs 10 and 11 below):

10. Sleep apnea, for which he received a diagnosed by the Sleep Centre at Charing Cross Hospital in London, UK in February/ March 2015. That impairment continues to the present day.
11. Posterior tibial tendon dysfunction (“PTTD”) with significant degenerative changes causing pain in his feet and ankles, for which he has received treatment since 2015. That impairment was diagnosed by the Charing Cross Hospital and also the ‘BUPA Cromwell Hospital’ in London, UK. That impairment continues to the present day.
12. The Defendant was aware of the Plaintiff’s disabilities. The Plaintiff informed his managers and HR team in the USA and the UK regarding his disabilities.
13. The Defendant knew or ought reasonably to have known that the Plaintiff was disabled.
14. In about October 2016, Mr. Shankar was encouraged to apply for a transfer to Accenture’s office in New York City.
15. Mr. Shankar applied for the transfer and received an offer of employment in March 2017. Thereafter, Accenture processed Mr. Shankar’s L-1A Visa and scheduled Mr. Shankar to arrive in New York City on or about May 15, 2017.
16. Upon information and belief, Defendant Accenture compensated Plaintiff at a lower salary rate than other similarly situated employees who did not require a temporary worker visa in order to be authorized to work in the USA. The Defendant Accenture also reduced complaint’s ‘Month at Level’ at Accenture without informing the Plaintiff about it while transferring him from the UK to the USA.
17. For the sake of clarity, Plaintiff received less money than other employees of Defendant who had the same or similar job duties or titles simply because Plaintiff originated from another country – specifically, the United Kingdom and is of Indian ancestry.

18. In about early May 2017, Mr. Shankar was advised by his treating physician to undergo immediate surgery for a stomach issue.
19. Mr. Shankar immediately informed Accenture's Human Resources in London on May 8, 2017 of his need for surgery.
20. On May 9, 2017, Mr. Shankar sent an e-mail to HR Department of Accenture USA and HR of Accenture UK and requested a delay of his transfer. Mr. Shankar's request was denied by HR of Accenture USA and he was told that if he did not report to Accenture's office in New York City on May 15, 2017, his employment would be terminated.
21. Against his treating physician's recommendation, Mr. Shankar reported to Accenture LLP's office in New York City on May 15, 2017 to continue his employment.
22. In May 2017, shortly after commencing his employment in New York City, Mr. Shankar again informed Human Resources in the USA of his need for surgery.
23. Accenture LLP provided Mr. Shankar with information concerning FMLA leave and short-term disability.
24. Mr. Shankar also informed his need for surgery to Managing Directors Thomas S. Marshall and David C. Jones regarding his need for surgery within a few weeks of moving to Accenture USA.
25. Due to worsening situation, Mr. Shankar again informed Mr. Marshall about his need for surgery during his phone discussion with him around July 31, 2017, a week before the termination of his employment. Mr. Shankar attempted to provide the same information to Mr. Jones, but his meeting with Mr. Jones was postponed several times by Mr. Jones.
26. On August 7, 2017, when Mr. Shankar was finally able to speak to Mr. David Jones on phone, Mr. Jones told Mr. Shankar to look for a job internally in other departments in two

weeks because he has been without a project for a long time. Mr. Shankar asked for some more time to look for a role but Mr. Jones didn't say anything on it but rather advised him to contact Lauren Kelly and Grace Gummels. Mr. Jones sent an e-mail to Mr. Shankar advising him to contact Grace Gummels and Lauren Kelly for the next step. Ms. Lauren Kelly sent a notice of termination of employment to Mr. Shankar through e-mail on August 7, 2017.

- 27. It is quite interesting to note that while David Jones told Mr. Shankar that a lot of people are sitting without project in the team, they were hiring people in the team after giving a notice of termination of employment to Mr. Shankar. Roles similar to Mr. Shankar's roles were being advertised internally as well.
- 28. Please note that though Mr. Shankar was given just two week's notice to look for a job internally along with the Notice of Termination of his employment, his white American citizen colleagues were given longer time to look for a job internally.
- 29. On June 15, 2017, Harshil Shah, a Senior Manager for Accenture LLP, made derogatory comments about Mr. Shankar's age and ridiculed Mr. Shankar for being a manager at forty-six (46) years-old with a lower billing rate, level, and salary than Mr. Shah.
- 30. In August 2017, Accenture granted/ approved FMLA Leave and Short-term Disability benefits to Mr. Shankar.
- 31. Mr. Shankar underwent surgery on August 21, 2017 and requested that he have additional time to secure another role within Accenture.
- 32. Notwithstanding the fact that Mr. Shankar was on approved FMLA leave and underwent surgery on August 21, 2017, Accenture LLP terminated Mr. Shankar's employment around the second or third week of September 2017.

33. After denying any extension a few times, Accenture later agreed to extend the termination date to November 12, 2017 (later extended to November 13, 2017 because November 12, 2017 was Sunday) or the date Mr. Shankar could return to work, whichever was sooner.
34. Mr. Shankar started looking for roles internally within Accenture. Mr. Shankar was interviewed by Tracey Buell, Krishna Desai, and Douglas (Managing Director), who decided to transfer Mr. Shankar into their team after getting the role entered into the internal IT system. Ms. Buell also confirmed to Mr. Shankar that the internal transfer takes place only on the 1st or 16th day of the month. Mr. Shankar informed HR for Accenture about his impending transfer. Mr. Shankar also informed HR for Accenture about interviews for other roles within Accenture in the week starting November 13, 2017.
35. Although Mr. Shankar informed Accenture LLP of the impending offer of employment as well as interviews for other roles, Accenture LLP still elected to terminate Mr. Shankar's employment on or about November 13, 2017 while he was on pre-approved floating holiday.
36. Caucasian American employees were provided with either more time to find another internal position (Matthew Matte), or were not terminated for being unable to secure a project to work on during the same time period as Mr. Shankar (i.e. Matthew Hill and Joan).
37. The Plaintiff has been intermittently ill after termination of his employment by the Defendants and his disabilities continues.
38. It came to the Plaintiff's attention that Defendant did not process his medical and short-term disability benefits claims while he was in the USA and they have declined to support him on this.

39. The Plaintiff has suffered and continues to suffer physical and emotional damages as a result of Defendants' conduct. The Plaintiff emphasises that his current medical conditions are all likely to be considered new disabilities in addition to the existing ones.

Based upon his disability, age, national origin, and race, Mr. Shankar was intentionally discriminated against by Defendant in his employment in violation of Americans with Disabilities Act, as amended, the Age Discrimination in Employment Act, as amended, and Title VII of the Civil Rights Act of 1964, as amended, along with all corresponding state and local laws. Mr. Shankar seeks compensation for damages and costs against the Defendants for which he will be providing further details. The plaintiff would also seek any other relief that the court finds it to be just and proper.

Dated: November 13, 2020



ANURAG SHANKAR
15A KENSINGTON HALL GARDENS
BEAUMONT AVENUE
WEST KENSINGTON
LONDON W14 9LS
UNITED KINGDOM
PHONE: +44 7809 235678

VERIFICATION

STATE OF NEW YORK

COUNTY OF

**ANURAG SHANKAR, being duly sworn, deposes and says that: I am the Petitioner/
Plaintiff in this action or proceeding; I have read the foregoing papers and know the contents**

thereof; the complaint/ petition is true to my own knowledge, except as to the matters stated
to be alleged on information and belief; and as to those matters, I believe it to be true.

Sworn to before me on this 13 day of
November 2020

Anurag Shankar
Plaintiff/ Petitioner
(Signed here in front of Notary)

Notary Public



ANURAG SHANKAR

Thomas A. Ricotta
Notary Public, State of New York
No. 02RU6318982
Qualified in Nassau County
Commission Expires February 9, 2023

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK xANURAG SHANKAR
Plaintiff/Petitioner,

- against -

Index No. 159870/2020A CCENTURE LLPDefendant/Respondent.
-----x**NOTICE OF ELECTRONIC FILING
(Mandatory Case)
(Uniform Rule § 202.5-bb)****You have received this Notice because:**

- 1) The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts E-filing system ("NYSCEF"), and
- 2) You are a Defendant/Respondent (a party) in this case.

• If you are represented by an attorney:Give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).**• If you are not represented by an attorney:****You will be served with all documents in paper and you must serve and file your documents in paper, unless you choose to participate in e-filing.****If you choose to participate in e-filing, you must have access to a computer and a scanner or other device to convert documents into electronic format, a connection to the internet, and an e-mail address to receive service of documents.****The benefits of participating in e-filing include:**

- serving and filing your documents electronically
- free access to view and print your e-filed documents
- limiting your number of trips to the courthouse
- paying any court fees on-line (credit card needed)

To register for e-filing or for more information about how e-filing works:

- visit: www.nycourts.gov/efile-unrepresented or
- contact the Clerk's Office or Help Center at the court where the case was filed. Court contact information can be found at www.nycourts.gov

To find legal information to help you represent yourself visit www.nycourthelp.gov

**Information for Attorneys
(E-filing is Mandatory for Attorneys)**

An attorney representing a party who is served with this notice must either:

1) immediately record his or her representation within the e-filed matter on the NYSCEF site www.nycourts.gov/efile ; or

2) file the Notice of Opt-Out form with the clerk of the court where this action is pending and serve on all parties. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the knowledge to operate such equipment. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: 26 FEBRUARY 2021

ANURAG SHANKAR

Name

NOT APPLICABLE

Firm Name

15A KENSINGTON HALL GARDENS
BEAUMONT AVENUE
WEST KENSINGTON
LONDON W14 9LS
UNITED KINGDOM

Address

+1

Phone

anuragshankar@yahoo.com

E-Mail

To: ACCENTURE LLP

1345 AVENUE OF THE AMERICAS

NEW YORK, NY 10105, USA

2/24/20

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No. : 159870/2020
Received NYSCEF: 11/13/2020

-----X
ANURAG SHANKAR,

Plaintiff,

-against-

AFFIDAVIT OF SERVICE

ACCENTURE, LLP.,

Defendant.
-----X

State of New York,
County of Kings, ss.:

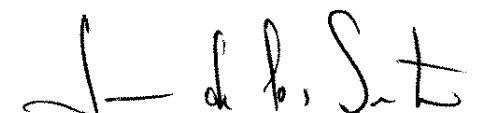
Juan de los Santos, being duly sworn, deposes and says:

I am over 18 years of age and I am not a party to this action. I am a duly licensed New York City process server authorized to serve process with license number 2067123.

On March 10, 2021 at 04:37 p.m., at 401 9th Avenue, New York, New York 10001 (One Manhattan West), I served the attached SUMMONS and COMPLAINT, in this matter, on **ACCENTURE, LLP**, Defendant, by delivering said SUMMONS and COMPLAINT to COLLEEN ALTERI, Workplace Business Operations Senior Manager, an officer employed by said Defendant who indicated that she was expressly authorized to accept process on behalf of said Defendant. Said premises is said Defendant's place of business within the State.

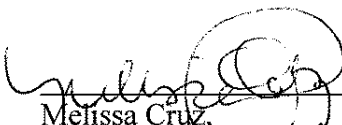
Description of the Person Served on Behalf of the Defendant:

Gender: Female Color of skin: White Color of hair: Brown Approx. age: 35-48 Years
Approx. weight: 110-125 Lbs. Approx. height: 5' 05"- 5' 07" Other ident. features: Green eyes



Juan de los Santos
New York Process Server No. 2067123

Sworn to before me this
11th day of March, 2021



Melissa Cruz,
Notary Public, State of New York
MELISSA CRUZ
NOTARY PUBLIC-STATE OF NEW YORK
No 01CR6115265
Qualified in Kings County
My Commission Expires 09-07-2024

Juan de los Santos
New York Process Server # 2067123
54 Bristol Street, Ste. 7F
Brooklyn, NY 11212

At an Ex Parte Motion Part of the Supreme Court of the State of New York, held in and for the County of New York, at the courthouse located at 60 Centre Street New York New York on the ____ day of March 2021.

Present: Hon. _____
Justice of the Supreme Court

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

-----	X	
)	
ANURAG SHANKAR,)	
)	Index No. 159870/2020
Plaintiff,)	
)	[PROPOSED] ORDER
vs.)	PURSUANT TO CPLR 2004
)	(EXTENSION OF TIME TO
ACCENTURE LLP,)	<u>ANSWER</u>
)	
Defendant.)	
)	
-----	X	

Upon reading the annexed Affirmation of B. Aubrey Smith, Esq., dated March 30, 2021, and good cause appearing therefore, it is:

ORDERED, pursuant to CPLR 2004, that the time of the defendant to answer or move with respect to the complaint is extended for a period of twenty (20) days from the current deadline of March 30, 2021 to April 19, 2021.

Let service of a copy of this order upon plaintiff on or before the day following the entry of this Order be deemed sufficient.

ENTER:

Justice of the Supreme Court



REQUEST FOR JUDICIAL INTERVENTION

New York Supreme COURT, COUNTY OF New York

Index No: 159870/2020

Date Index Issued: 11/16/2020

For Court Use Only:

CAPTION

Enter the complete case caption. Do not use et al or et ano. If more space is needed, attach a caption rider sheet.

IAS Entry Date

ANURAG SHANKAR

-against- Plaintiff(s)/Petitioner(s)

Accenture LLP

Judge Assigned

RJI Filed Date

Defendant(s)/Respondent(s)

NATURE OF ACTION OR PROCEEDING: Check only one box and specify where indicated.

COMMERCIAL

- ☐ Business Entity (includes corporations, partnerships, LLCs, LLPs, etc.)
- ☐ Contract
- ☐ Insurance (where insurance company is a party, except arbitration)
- ☐ UCC (includes sales and negotiable instruments)
- ☐ Other Commercial (specify): _____

NOTE: For Commercial Division assignment requests pursuant to 22 NYCRR 202.70(d), complete and attach the **COMMERCIAL DIVISION RJI ADDENDUM (UCS-840C)**.

REAL PROPERTY: Specify how many properties the application includes: _____

- ☐ Condemnation
- ☐ Mortgage Foreclosure (specify): ☐ Residential ☐ Commercial
- Property Address: _____

NOTE: For Mortgage Foreclosure actions involving a one to four-family, owner-occupied residential property or owner-occupied condominium, complete and attach the **FORECLOSURE RJI ADDENDUM (UCS-840F)**.

- ☐ Tax Certiorari - Section: _____ Block: _____ Lot: _____
- ☐ Tax Foreclosure
- ☐ Other Real Property (specify): _____

OTHER MATTERS

- ☐ Certificate of Incorporation/Dissolution [see **NOTE** in **COMMERCIAL** section]
- ☐ Emergency Medical Treatment
- ☐ Habeas Corpus
- ☐ Local Court Appeal
- ☐ Mechanic's Lien
- ☐ Name Change
- ☐ Pistol Permit Revocation Hearing
- ☐ Sale or Finance of Religious/Not-for-Profit Property
- ☐ Other (specify): _____

MATRIMONIAL

- ☐ Contested
- NOTE:** If there are children under the age of 18, complete and attach the **MATRIMONIAL RJI Addendum (UCS-840M)**.
- For Uncontested Matrimonial actions, use the Uncontested Divorce RJI (**UD-13**).

TORTS

- ☐ Asbestos
- ☐ Child Victims Act
- ☐ Environmental (specify): _____
- ☐ Medical, Dental, or Podiatric Malpractice
- ☐ Motor Vehicle
- ☐ Products Liability (specify): _____
- ☐ Other Negligence (specify): _____
- ☐ Other Professional Malpractice (specify): _____
- ☒ Other Tort (specify): Employment Discrimination

SPECIAL PROCEEDINGS

- ☐ CPLR Article 75 (Arbitration) [see **NOTE** in **COMMERCIAL** section]
- ☐ CPLR Article 78 (Body or Officer)
- ☐ Election Law
- ☐ Extreme Risk Protection Order
- ☐ MHL Article 9.60 (Kendra's Law)
- ☐ MHL Article 10 (Sex Offender Confinement-Initial)
- ☐ MHL Article 10 (Sex Offender Confinement-Review)
- ☐ MHL Article 81 (Guardianship)
- ☐ Other Mental Hygiene (specify): _____
- ☐ Other Special Proceeding (specify): _____

STATUS OF ACTION OR PROCEEDING: Answer YES or NO for every question and enter additional information where indicated.

	YES	NO	
Has a summons and complaint or summons with notice been filed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, date filed: 11/13/2020
Has a summons and complaint or summons with notice been served?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If yes, date served: 03/10/2021
Is this action/proceeding being filed post-judgment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, judgment date: _____

NATURE OF JUDICIAL INTERVENTION: Check one box only and enter additional information where indicated.

- ☐ Infant's Compromise
- ☐ Extreme Risk Protection Order Application
- ☐ Note of Issue/Certificate of Readiness
- ☐ Notice of Medical, Dental, or Podiatric Malpractice
- ☐ Notice of Motion
- ☐ Notice of Petition
- ☐ Order to Show Cause
- ☒ Other Ex Parte Application
- ☐ Poor Person Application
- ☐ Request for Preliminary Conference
- ☐ Residential Mortgage Foreclosure Settlement Conference
- ☐ Writ of Habeas Corpus
- ☐ Other (specify): _____
- Date Issue Joined: _____
- Relief Requested: _____
- Relief Requested: _____
- Relief Requested: _____
- Relief Requested: Extend - Time
- Return Date: _____
- Return Date: _____
- Return Date: _____

RELATED CASES: List any related actions. For Matrimonial cases, list any related criminal or Family Court cases. If none, leave blank. If additional space is required, complete and attach the **RJI Addendum (UCS-840A)**.

Case Title	Index/Case Number	Court	Judge (if assigned)	Relationship to instant case

PARTIES: For parties without an attorney, check the "Un-Rep" box and enter the party's address, phone number and email in the space provided. If additional space is required, complete and attach the **RJI Addendum (UCS-840A)**.

Un-Rep	Parties	Attorneys and/or Unrepresented Litigants	Issue Joined	Insurance
	List parties in same order as listed in the caption and indicate roles (e.g., plaintiff, defendant; 3 rd party plaintiff, etc.)	For represented parties, provide attorney's name, firm name, address, phone and email. For unrepresented parties, provide party's address, phone and email.	For each defendant, indicate if issue has been joined.	For each defendant, indicate insurance carrier, if applicable.
<input type="checkbox"/>	Name: SHANKAR, ANURAG Role(s): Plaintiff/Petitioner	ANURAG SHANKAR, 15A KENSINGTON HALL GARDENS BEAUMONT AVENUE, WEST KENSINGTON, LONDON, UNITED KINGDOM, NY W14-9LS, anuragshankar@yahoo.com	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Accenture LLP Role(s): Defendant/Respondent	BRIAN SMITH, Winston & Strawn LLP, 200 Park Ave , New York, NY 10166, basmith@winston.com	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	

I AFFIRM UNDER THE PENALTY OF PERJURY THAT, UPON INFORMATION AND BELIEF, THERE ARE NO OTHER RELATED ACTIONS OR PROCEEDINGS, EXCEPT AS NOTED ABOVE, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION BEEN PREVIOUSLY FILED IN THIS ACTION OR PROCEEDING.

Dated: 03/31/2021

BRIAN AUBREY SMITH

Signature

5001987

BRIAN AUBREY SMITH

Attorney Registration Number

Print Name

This form was generated by NYSCEF

EX PARTE MOTION OFFICE

APPROVED
FOR THE PAYMENT
OF MOTION FEE
ONLY

HON. FRANK P. NERVO
J.S.C.

At an Ex Parte Motion Part of the Supreme Court of the State of New York, held in and for the County of New York, at the courthouse located at 60 Centre Street New York New York on the 31st day of March 2021.

Present: Hon. _____
Justice of the Supreme Court

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X)
ANURAG SHANKAR,)
)
Plaintiff,)
)
vs.)
)
ACCENTURE LLP,)
)
Defendant.)
)
-----X)

Index No. 159870/2020
**[PROPOSED] ORDER
PURSUANT TO CPLR 2004
(EXTENSION OF TIME TO
ANSWER)**

Upon reading the annexed Affirmation of B. Aubrey Smith, Esq., dated March 30, 2021, and good cause appearing therefore, it is:

ORDERED, pursuant to CPLR 2004, that the time of the defendant to answer or move with respect to the complaint is extended for a period of twenty (20) ^{date hereof} days from the ~~current~~ ⁷ ~~deadline of March 30, 2021 to April 19, 2021.~~

FILED
AND FEE PAID
MAR 30 2021
COUNTY CLERK'S OFFICE
NEW YORK

be served upon counsel for plaintiff
Let service of a copy of this order upon plaintiff on the day following the entry of
on or before the 31st day of March 2021
this Order be deemed sufficient.

ENTER:



Justice of the Supreme Court

HON. FRANK P. NERVO
J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

_____	X	
	:	
	:	
ANURAG SHANKAR,	:	
	:	
Plaintiff,	:	Index No. 159870/2020
	:	
v.	:	<u>NOTICE OF ENTRY</u>
	:	
ACCENTURE LLP,	:	
	:	
Defendant.	:	
	:	
_____	X	

PLEASE TAKE NOTICE, that annexed hereto is a true and correct copy of the Order Pursuant to CPLR 2004 issued by Supreme Court of New York, New York County (Nervo, J.) in the above-captioned case, dated March 31, 2021, and duly entered by the Clerk of the Supreme Court of the State of New York, New York County, on March 31, 2021.

Dated: New York, New York
March 31, 2021

Respectfully Submitted,
WINSTON & STRAWN LLP

By: /s B. Aubrey Smith
B. Aubrey Smith
200 Park Avenue
New York, New York 10166
212-294-6700 (phone)
212-294-4700 (fax)
BASmith@winston.com

Attorneys for Accenture LLP

TO:

Anurag Shankar
15a Kensington Hall Gardens
Beaumont Avenue
West Kensington
London, United Kingdom, NY W14-9LS
anuragshankar@yahoo.com

Plaintiff pro se

EX PARTE MOTION OFFICE

**APPROVED
FOR THE PAYMENT
OF MOTION FEE
ONLY**

HON. FRANK P. NERVO

J.S.C.

Present: Hon. _____
Justice of the Supreme Court

At an Ex Parte Motion Part of the Supreme Court of the State of New York, held in and for the County of New York, at the courthouse located at 60 Centre Street New York New York on the 31st day of March 2021.

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

ANURAG SHANKAR,

Plaintiff,

vs.

ACCENTURE LLP,

Defendant.

-----X

)

)

)

)

)

)

)

)

)

)

)

)

-----X

Index No. 159870/2020

[PROPOSED] ORDER**PURSUANT TO CPLR 2004****(EXTENSION OF TIME TO****ANSWER)**

Upon reading the annexed Affirmation of B. Aubrey Smith, Esq., dated March 30, 2021, and good cause appearing therefore, it is:

ORDERED, pursuant to CPLR 2004, that the time of the defendant to answer or move with respect to the complaint is extended for a period of twenty (20) days from the ^{date hereof} ~~current~~ ₇ ~~deadline of March 30, 2021 to April 19, 2021.~~

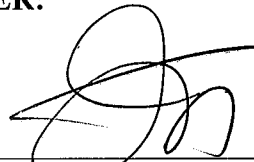
FILED
AND FEE PAID

MAR 30 2021

COUNTY CLERK'S OFFICE
NEW YORK

be served upon counsel for plaintiff
on or before the 31st day of March 2021
Let service of a copy of this order upon plaintiff on the day following the entry of
this Order be deemed sufficient.

ENTER:



Justice of the Supreme Court

HON. FRANK P. NERVO
J.S.C.